

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**


KEVIN DEWAYNE WINCHESTER,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV 14-260-RAW-KEW
)	
TIM WILKINSON, Warden,)	
)	
Respondent.)	

OPINION AND ORDER

Petitioner appealed the court’s dismissal of this habeas corpus action, and the Tenth Circuit Court of Appeals remanded his first two claims for this court “to either modify its opinion to specify that the dismissal is without prejudice, or make a determination on the merits within its permissible scope to do so under 42 U.S.C. § 1997e(c)(2).” *Winchester v. Patton*, No. 15-7031, slip op. at 4 (10th Cir. Aug. 25, 2015) (Docket No. 54). The court hereby specifies that the dismissal of petitioner’s two unexhausted claims is without prejudice.

IT IS SO ORDERED this 13th day of October 2015.

Dated this 13th day of October, 2015.



Ronald A. White
United States District Judge
Eastern District of Oklahoma